

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TAHANI ADONIS,

Plaintiff,

-against-

COURT OFFICER MELISSA COLEMAN, COURT
OFFICER MADGE, SHIELD # 6290, AND
COURT OFFICER SHIELD # 3212

Defendants.

:
: 08 CV 01726 (MGC)
:

: CONFIDENTIALITY
: STIPULATION AND ORDER

:

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WHEREAS, plaintiff's counsel has made or may make certain requests for disclosure of information from the Office of Court Administration, including personnel files and other personnel information;

WHEREAS, the partes agree that there is a need to protect the confidentiality of a substantial part of the information being provided;

IT IS HEREBY STIPULATED AND AGREED that:

1. The personnel files of the defendants and all information derived therefrom are hereby designated Confidential Matter; Documents that any of the undersigned attorneys deem confidential are to be marked by the producing party as "Confidential." Such documents and the contents thereof shall not be disclosed to anyone by the receiving party, except as provided in this Stipulation.

2. All testimony, documents and all information derived therefrom which relate to the substance or description of the

contents of any and all personnel files and administrative files, and other personal information, including employment decisions related to the Defendants are hereby designated Confidential;

4. Unless ordered by the Court, or agreed to by the parties in writing, documents marked "Confidential" and the contents thereof, are to be provided only to the following, and shall be used by them only for purposes of this litigation and no other proceeding or litigation:

- (a) the plaintiff and the attorney for plaintiff;
- (b) the undersigned attorney for defendant and the defendants;
- (c) employees and independent contractors of the undersigned attorneys who are directly involved in preparation or litigation of this action;
- (d) the undersigned attorneys' experts and consultants, as necessary for the conduct of this litigation;
- (e) court reporters, as necessary for the conduct of this litigation; and
- (f) the Court, and any finder of fact upon a determination of admissibility.

5. Before Confidential Matter is disclosed to any person described in ¶ 4 (a)- (d), that person shall first execute an acknowledgment in this form attached hereto as Exhibit "A". Such executed undertaking shall be maintained by plaintiff's or

defendants' counsel, as the case may be, with respect to each person to whom Confidential Matter is disclosed, and a signed duplicate shall be furnished to counsel for the Defendants within five business days of its execution.

6. All documents marked "Confidential" shall be maintained by the parties in a confidential manner and shall not be given, shown, or described to any persons other than those described in ¶ 4 above. Nothing herein shall preclude the parties from using any documents marked "Confidential" in depositions or in Court in this litigation, including any appeals, or from attaching any such documents to any pleading or motion filed in the action. Parties shall give reasonable notice to the other party prior to filing such documents so that a party may request that portions of transcripts, pleadings, or motions containing or referring to confidential matters be sealed.

7. Confidential documents accidentally turned over to a party or the plaintiff will be retrieved when discovered to have been accidentally turned over.

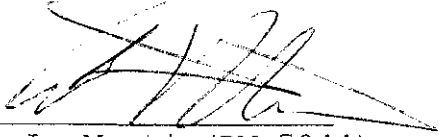
8. Documents that are privileged under the attorney-client privilege or work product doctrine that are inadvertently produced shall be returned to the producing party upon notice.

9. It is the present intention of the parties that the provisions of this Stipulation and Order shall govern discovery in this litigation. Nonetheless, the parties shall be entitled


to seek modification, expansion, or cancellation of this Stipulation and Order by application to the Court on at least five days' notice.

Dated: New York, New York
June 30, 2008

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State of New York
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5 | SO ORDERED: *Subject to modification by the court as the interest of justice may require.*

U.S.D.J.

September 2, 2008